

House Bill 804 (AS PASSED HOUSE AND SENATE)

By: Representatives Ralston of the 7<sup>th</sup> and Willard of the 49<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Title 16 of the Official Code of Georgia Annotated, relating to crimes and  
2 offenses, so as to repeal the offense of barratry; to correct cross-references; to provide for  
3 related matters; to repeal conflicting laws; and for other purposes.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

5 **SECTION 1.**

6 Title 16 of the Official Code of Georgia Annotated, relating to crimes and offenses, is  
7 amended by striking Code Section 16-10-95, relating to barratry, and inserting in lieu thereof  
8 the following:

9 "16-10-95.

10 ~~(a) A person commits the offense of barratry when he knowingly and willfully commits~~  
11 ~~any of the following acts:~~

12 ~~(1) Excites and stirs up groundless actions in the courts or quarrels in administrative~~  
13 ~~proceedings;~~

14 ~~(2) Institutes or causes to be instituted a legal proceeding without obtaining proper~~  
15 ~~authorization; or~~

16 ~~(3) Solicits or encourages the institution of a judicial or administrative proceeding or~~  
17 ~~offers assistance therein before being consulted by a complainant in relation thereto.~~

18 ~~(b) A person convicted of the offense of barratry shall be punished by a fine of not more~~  
19 ~~than \$5,000.00 or by imprisonment for not less than one nor more than five years, or both.~~

20 Reserved."

21 **SECTION 2.**

22 Said title is further amended by striking division (9)(A)(xv) of Code Section 16-14-3, relating  
23 to definitions relative to the "Georgia RICO (Racketeer Influenced and Corrupt  
24 Organizations) Act," and inserting in lieu thereof the following:

3 **SECTION 3.**  
4 All laws and parts of laws in conflict with this Act are repealed.

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